

REMARKS

AMENDMENTS

Claims 23 and 31 were amended to correct typographical errors.

CLAIM OBJECTIONS


Claims 10 and 34 were objected to because of insufficient antecedent basis for the limitation "third electrode." These claims have been amended to obviate the objection.

NONSTATUTORY DOUBLE PATENTING REJECTION

Claims 1-9, 13-22, 23-26, 28-30 and 31-33 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over U.S. Patent No. 6,738,109. Claims 10-12, 34 and 35 were also rejected since they depend from rejected claims 1 and 31. The Examiner has indicated that these claims would be allowable if a terminal disclaimer is filed to overcome the rejection. A terminal disclaimer is filed herewith.

In view of the foregoing, it is respectfully submitted that all of the claims, 1-35, are in condition for allowance. Early and favorable consideration of this application is earnestly solicited.

Respectfully submitted,

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